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20 *Nuance Communications, Inc.*

21 **UNITED STATES DISTRICT COURT**

22 **CENTRAL DISTRICT OF CALIFORNIA**

23 Eloqui Voice Systems, LLC,
24 Plaintiff,
25

26 v.

27 Nuance Communications, Inc., a
28 Massachusetts corporation,
Defendant.

) Case No. 2:17-cv-00890-JAK-SS
) Hon. John A. Kronstadt
)

) **JOINT CLAIM CONSTRUCTIONS**
) **AND PREHEARING STATEMENT**
)

)
) Hearing Date: November 6, 2017
) Hearing Time: 10:00 am
) Courtroom: 10b
)

1 Plaintiff, Eloqui Voice Systems, LLC (“Plaintiff”) and Defendant Nuance
 2 Communications, Inc. (“Defendant”) (collectively “the Parties”), jointly file this Joint
 3 Claim Construction and Prehearing Statement setting forth the Parties’ agreed and
 4 proposed claim constructions of the terms found in United States Patent No. 6,144,938
 5 (“the ’938 Patent), United States Patent No. 6,334,103 (“the ’103 Patent”) and United
 6 States Patent No. 7,058,577 (“the ’577 Patent”) (collectively “the Patents-in-Suit”).

7 In the course of preparing this Statement, the Parties met and conferred by phone.

8 **A. Agreed Claim Constructions (S.P.R. 3.4.1)**

9 The Parties agreed on the following terms:

10 NONE.
 11
 12

13 **B. Disputed Claim Constructions (S.P.R. 3.4.2)**

14 The parties hereby submit the chart attached as **Appendix A** pursuant to S.P.R.
 15 3.4.2.

16 The Parties expressly reserve the right to amend, correct, or supplement their
 17 claim construction positions and supporting evidence in response to any change of
 18 position by the other party.

19 **C. One (1) Most Significant Term to the Case. (S.P.R. 3.4.3)**

20 The Parties identify the following term as the term most significant to the case:

21 **1. Personality**

22 **D. Length of Claim Construction Hearing (S.P.R. 3.4.4)**

23 The Plaintiff believes that its presentation at the claim construction hearing
 24 should not take more than 90 minutes total.

25 The Defendant believes that its presentation at the claim construction hearing
 26 should not take more than 90 minutes total.
 27

28 **E. Witnesses at Claim Construction Hearing (S.P.R. 3.4.5)**

1 Plaintiff does not intend to offer any witness testimony at the claim construction
2 hearing. Defendant also does not intend to offer any witness testimony at the claim
3 construction hearing.

4 DATED: August 28, 2017

COTMAN IP LAW GROUP, PLC

6 By: /s/ Obi I. Iloputaife

Daniel C. Cotman

7 Obi I. Iloputaife

8 Jayson S. Sohi

Attorneys for Plaintiff

Eloqui Voice Systems, LLC

10 DATED: August 28, 2017

LAMKIN IP DEFENSE

12 By: /s/ Rachael D. Lamkin

Rachael D. Lamkin

13 *Attorney for Defendant*

Nuance Communications, Inc.

ATTESTATION

I, Obi I. Iloputaife, am the CM/ECF user whose ID and password are being used to file this JOINT CLAIM CONSTRUCTIONS AND PREHEARING STATEMENT. In compliance with L.R. 5-4.3.4(a)(2)(i), I hereby attest that Rachael D. Lamkin has concurred in this filing.

/s/ Obi I. Iloputaife
Obi I. Iloputaife